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REPORTER'S RECORD

VOLUME 1 OF 1 VOLUMES

CAUSE NO. 141-311209-19

MBH REAL ESTATE, LLC,	X	IN THE DISTRICT COURT
AFI LOAN SERVICING, LLC,	X	
ANSON FINANCIAL, INC.	X	
J. MICHAEL FERGUSON,	X	
P.C.	X	
Plaintiff,	X	
	X	
VS.	X	141ST JUDICIAL DISTRICT
	X	
IAN GHRIST AND GHRIST	X	
LAW FIRM, PLLC	X	
	X	
Defendants.	X	TARRANT COUNTY, TEXAS

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HEARING

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BE IT REMEMBERED that on the 21st day of
February, 2020, the following proceedings came on to
be heard in the above-entitled and -numbered cause
before the Honorable John P. Chupp, judge presiding,
held in Fort Worth, Tarrant County, Texas.

The proceedings were reported by machine
shorthand.

A P P E A R A N C E S

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1 MR. GHRIST: Yes. I saw that the
2 response said, well, you didn't have a motion, so I
3 went ahead and filed a motion, and I don't know that
4 that's really important, but --

5 THE COURT: There is no affidavit or
6 anything.

7 MR. GHRIST: -- but I went ahead and
8 filed it so that it's on file, but there's no details
9 in it because I don't have any of the discovery yet,
10 but it is on file.

11 THE COURT: There is a motion now on
12 file, but there's not much to it.

13 MR. FERGUSON: It does not meet the
14 requirements for an injunctive hearing.

15 THE COURT: No, it doesn't. There's no
16 doubt about that.

17 MR. GHRIST: I hope -- well, two
18 things. One is that the standard is not the standard
19 for an injunction. It's the standard in the Rules of
20 Procedure for a postjudgment injunction for them to
21 transfer dissipation of assets, which is whether the
22 Court finds that it's necessary or not.

23 Under 621a, Appellate Rule 24, and to
24 the official comments, discovery is allowed on the
25 issue of whether the injunction should issue,

1 regardless of whether the bond is posted. Those are
2 treated like two separate issues.

3 THE COURT: And this judgment has been
4 suspended by a supersedeas bond, correct?

5 MR. GHRIST: Yes.

6 THE COURT: And this says any time
7 after rendition of the judgment and so long as said
8 judgment has not been suspended by the supersedeas
9 bond. And it has been.

10 MR. GHRIST: Which rule are you
11 reading?

12 THE COURT: 621a.

13 MR. GHRIST: Oh, yes, yes, that's
14 correct. And then it says also at any time after
15 rendition of judgment, either party may, for the
16 purpose of obtaining information relevant to motions
17 allowed by Texas Rules of Appellate Procedure 47 and
18 49, footnote two, initiate and maintain discovery
19 proceedings. So that is the exception there, the rule
20 and then the exception right under --

21 THE COURT: Which part of 24 are we
22 looking at?

23 MR. GHRIST: 24.1 -- sorry, 24.2(d).

24 MR. FERGUSON: Your Honor, if you also
25 look at 24.4, because the only motions that are

1 Have a good day.

2 THE COURT: You, too.

3 (End of proceedings)

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C E R T I F I C A T E

THE STATE OF TEXAS X

COUNTY OF TARRANT X

I, Christina Fett, Official Court Reporter in and for the 141st District Court, State of Texas, County of Tarrant, do hereby certify that the above and foregoing contains a true and correct transcription of all portions of evidence and other proceedings requested in writing by counsel for the parties to be included in this volume of the reporter's record in the aforementioned cause, all of which occurred in open court or in chambers and were reported by me.

I FURTHER CERTIFY that this reporter's record of the proceedings truly and correctly reflects the exhibits, if any, admitted by the respective parties.

I FURTHER CERTIFY that I have no financial interest in the matters shown herein, and that I am not related to any of the parties or their counsel.

I FURTHER CERTIFY that the total cost for the preparation of this reporter's record of the proceedings is \$210.00 and was paid by the Plaintiff.

WITNESS MY OFFICIAL HAND this the 6th day of May, 2020.

/s/Christina Fett

Christina Fett, Texas CSR 4590

CSR Expires 7-31-22

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